

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

PRIMESOURCE BUILDING PRODUCTS, INC.,)	
)	
Plaintiff,)	
)	Civil Action No. 16 cv 11390
v.)	
)	Hon. Jorge L. Alonso
HUTTIG BUILDING PRODUCTS, INC.,)	Magistrate Judge Young B. Kim
KENNETH FISHBEIN, DAVID FISHBEIN,)	
MONA ZINMAN, and ROBERT FURIO,)	
)	
Defendants.)	

PLAINTIFF’S MOTION FOR LEAVE TO FILE SECOND AMENDED COMPLAINT

Pursuant to Rule 15(a)(2) of the Federal Rules of Civil Procedure, Plaintiff PrimeSource Building Products, Inc., moves for leave to file Plaintiff’s Second Amended Complaint. In support of its motion, Plaintiff states as follows:

1. Plaintiff filed its First Amended Complaint in this matter on January 13, 2017.
2. Since that time, the parties have participated in extensive discovery, including written discovery, exchange of documents, and numerous depositions.
3. Plaintiff requests leave to file its Second Amended Complaint to incorporate the information it has learned through discovery.
4. Justice requires allowing Plaintiff to amend its complaint at this point to incorporate the information it has learned through discovery. FED. R. CIV. P. 15(a)(2) (“The court should freely give leave when justice so requires.”)
5. Plaintiff’s proposed Second Amended Complaint is attached hereto as **Exhibit 1**, and is filed under seal as some of the allegations are based on information learned through discovery that was marked either Confidential or Attorneys’-Eyes-Only.

WHEREFORE, Plaintiff PrimeSource Building Products, Inc. respectfully requests that the Court grant leave to file its Second Amended Complaint and award any further relief as just and necessary

Respectfully submitted,

**PRIME SOURCE BUILDING PRODUCTS,
INC.**

By: /s/ Chelsea Ashbrook McCarthy
One of Its Attorneys

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CERTIFICATE OF SERVICE

The undersigned attorney certifies that on **June 30, 2017**, the foregoing **Motion for Leave to File Second Amended Complaint** was served via the CM/ECF system on all counsel of record.

s/ Chelsea Ashbrook McCarthy